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 PROOFPOINT, INC. and ARMORIZE
 TECHNOLOGIES, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FINJAN, INC.,

Plaintiff,

v.

PROOFPOINT, INC. and ARMORIZE
 TECHNOLOGIES, INC.,

Defendants.

Case No.: 13-CV-05808-HSG

**STIPULATION AND ORDER
 REGARDING OPENING *DAUBERT*
 MOTIONS**

Trial Date: June 13, 2016

1 Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, Plaintiff Finjan, Inc. (“Plaintiff”) and
2 Defendants Proofpoint, Inc. and Armorize Technologies, Inc. (“Defendants,” collectively with
3 Plaintiff, “the Parties”), by and through their respective counsel, have met and conferred in an effort to
4 agree upon a modified schedule for certain pretrial deadlines:

5 WHEREAS, the trial in this matter is currently scheduled for June 13, 2016;

6 WHEREAS, the Pre-trial Conference in this matter is currently scheduled for May 24, 2016;

7 WHEREAS, opening *Daubert* motions are currently due on April 15, 2016;

8 WHEREAS, the parties have made substantial effort to work together in good faith to stipulate
9 to narrow the potential issues in dispute by extending the deadline for opening *Daubert* motions by a
10 week, without altering any other pretrial deadlines or the trial date;

11 WHEREAS, on April 12, 2016 the Court issued an Order Granting in Part and Denying in Part
12 Motions for Summary Judgment (Dkt. 247);

13 WHEREAS, on April 13, 2016 Defendants supplemented certain financial data previously
14 produced to Plaintiff (“supplemented financial data”);

15 WHEREAS, the Parties have agreed that Plaintiff will serve a supplemental Expert Report of
16 Dr. Anne Layne-Farrar by Monday, April 18, 2016 to solely update the financial data in the attached
17 Schedules to reflect the supplemented financial data and the Court’s Order of April 12, 2016;

18 WHEREAS, the Parties have agreed that in response Defendants will serve a supplemental
19 Rebuttal Expert Report of Lance Gunderson by Wednesday, April 20, 2016 solely to update the
20 financial data in the attached Schedules to reflect the supplemented financial data and the Court’s
21 Order of April 12, 2016 and to respond to Dr. Layne-Farrar’s supplemental schedules;

22 WHEREAS, the Parties have agreed that each side may thereafter file a single *Daubert* opening
23 brief of up to 25 pages, but nothing in this stipulation precludes either side from seeking leave to file
24 an opening brief with additional pages upon a showing of good cause;

25 WHEREAS, the Parties respectfully request the Court re-schedule the following pre-trial
26 deadlines:

Original Deadline	Stipulated Proposed New Deadline	Event
April 15, 2016	April 22, 2016	Opening <i>Daubert</i> Motions due

NOW THEREFORE, the Parties hereby stipulate to and respectfully request certain pretrial submissions deadlines be set as stipulated and proposed in the table above.

IT IS SO STIPULATED.

Respectfully submitted,

Dated: April 14, 2016

By: /s/ James Hannah

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Counsel for Plaintiff
FINJAN, INC.

Respectfully submitted,

Dated: April 14, 2016

By: /s/ Jennifer A. Kash

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ATTESTATION PURSUANT TO L.R. 5-1(I)

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from any other signatory to this document.


/s/ Peter Klivans
Peter Klivans

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Parties shall brief *Daubert* motions as set forth in the April 14, 2016 Stipulation Regarding Opening *Daubert* Motions.

DATED: April 14, 2016


The Honorable Haywood S. Gilliam, Jr.
United States District Judge